

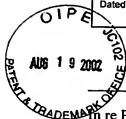
COPIES OF PAPERS  
INITIALLY FILED

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: August 9, 2002 Signature: *DeAnn F. Smith*

(DeAnn F. Smith)

Docket No.: MMI-003  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Jeanette McCarthy, *et al.*

Application No.: 10/017721

Group Art Unit: 1645

Filed: December 14, 2001

Examiner: Not Yet Assigned

For: DIAGNOSIS AND TREATMENT OF VASULAR  
DISEASE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed February 11, 2002, Applicant respectfully submits a Declaration, Petition and Power of Attorney document.

Please charge our Deposit Account No. 12-0080 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(e). The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. MMI-003. A duplicate copy of this paper is enclosed.

Dated: August 13, 2002

Respectfully submitted,

By *DeAnn F. Smith*

DeAnn F. Smith

Registration No.: 36,683

LAHIVE & COCKFIELD, LLP

28 State Street

Boston, Massachusetts 02109

(617) 227-7400

(617) 742-4214 (Fax)

Attorney for Applicants



UNITED STATES PATENT AND TRADEMARK OFFICE

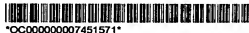
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/017,721	12/14/2001	Jeanette McCarthy	MMI-003

CONFIRMATION NO. 5317

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

FORMALITIES LETTER



\*0000000007451571\*

Date Mailed: 02/11/2002



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*George Daley, Stacey Bolk*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

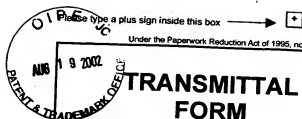
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

08/21/2002 NBERHE 00000112 120080 10017721  
01 FC:105 130.00 CH

18A

MP #



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0681-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<p><b>TRANSMITTAL FORM</b></p> <p>(to be used for all correspondence after initial filing)</p>		Application Number	10/017721
		Filing Date	December 14, 2001
		First Named Inventor	Jeanette McCarthy
		Group Art Unit	1645
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	15	Attorney Docket Number	MMI-003

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Two Declarations, Petitions, and Power of Attorney (totaling 10 pages); and copy of formalities letter (1 page); and Return Postcard.
Remarks		

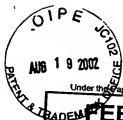
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	LAHIVE & COCKFIELD, LLP DeAnn F. Smith - 36,683
Signature	<i>DeAnn F. Smith</i>
Date	August 13, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC, 20231, on the date shown below.

Dated: August 13, 2002

Signature: *DeAnn F. Smith* (DeAnn F. Smith)

COPY OF PAPERS  
ORIGINALLY FILED

COPY

PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
unless it displays a valid OMB control number.Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.  
**FEE TRANSMITTAL**  
for FY 2002  
Patent fees are subject to annual revision.☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1,570.00

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit Account Number

12-0080

Deposit Account Name

Lahive &amp; Cockfield, LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge fee(s) indicated below, during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370			Utility filing fee	
106	330	206	165			Design filing fee	
107	510	207	255			Plant filing fee	
108	740	208	370			Reissue filing fee	
114	160	214	80			Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9			Claims in excess of 20	
102	84	202	42			Independent claims in excess of 3	
104	280	204	140			Multiple dependent claim, if not paid	
109	84	209	42			Reissue independent claims over original patent	
110	18	210	9			Reissue claims in excess of 20 over original patent	

SUBTOTAL (2) (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## Complete if Known

Application Number 10/017721  
Filing Date December 14, 2001  
First Named Inventor Jeanette McCarthy  
Examiner Name Not Yet Assigned  
Group Art Unit 1645  
Attorney Docket No. MMI-003

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	130.00
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for ex parte reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	400	216	200			Extension for reply within second month	
117	920	217	460			Extension for reply within third month	
118	1,440	218	720			Extension for reply within fourth month	
128	1,960	228	980			Extension for reply within fifth month	1,960.00
119	320	219	160			Notice of Appeal	
120	320	220	160			Filing a brief in support of an appeal	
121	280	221	140			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,280	241	640			Petition to revive - unintentional	
142	1,280	242	640			Utility issue fee (or reissue)	
143	480	243	230			Design issue fee	
144	620	244	310			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(c)	
126	180	126	180			Submission of Information Disclosure Stmt	
561	40	561	40			Recording each patent assignment per property (times number of properties)	
146	740	246	370			Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370			For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 2,090.00

## SUBMITTED BY

Name (Print/Type) DeAnn F. Smith

Registration No. 36,683

(Attorney/Agent)

Complete (if applicable)

Telephone (617) 227-7400

Signature

Date August 13, 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Patents, Commissioner for Patents, Washington, DC 20231, on the date shown below.  
Dated: August 13, 2002

Signature: DeAnn F. Smith (DeAnn F. Smith)